AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

Claims 1-9 (canceled).

10. (previously presented): A method for detecting and treating a malignant tumor, which method comprises;

administering a tumor detecting effective amount, to a host in need of detection of a malignant tumor, of 5-aminolevulinic acid or a derivative thereof in which at least one carbon atom of said 5-aminolevulinic acid is a carbon isotope and/or a nitrogen atom in its amino group is a nitrogen isotope, and where said derivative is an ester, amide, salt, hydrate or solvate of said 5-aminolevulinic acid;

detecting the malignant tumor using NMR; and

administering an effective amount of said 5-aminolevulinic acid or derivative thereof, in which at least one carbon atom of said 5-aminolevulinic acid is a carbon isotope and/or a nitrogen atom in its amino group is a nitrogen isotope, and where said derivative is an ester, amide, salt, hydrate or solvate of said 5-aminolevulinic acid, to kill said malignant tumor.

11. (previously presented): The method of claim 10 wherein said 5-aminolevulinic acid or derivative thereof is used in combination with a diagnostically acceptable carrier.

12. (previously presented): A method for detecting and treating a malignant tumor, which method comprises;

administering a tumor detecting effective amount, to a host in need of detection of a malignant tumor, of a 5-aminolevulinic acid or a derivative thereof in which at least one carbon atom of said 5-aminolevulinic acid is a carbon isotope and/or a nitrogen atom in its amino group is a nitrogen isotope, and where said derivative is an ester, amide, salt, hydrate or solvate of said 5-aminolevulinic acid to thereby accumulate the carbon isotope and/or the nitrogen isotope in the malignant tumor;

detecting the carbon and/or the nitrogen isotope using NMR to thereby identity the position of the malignant tumor; and

administering an effective amount of said 5- aminolevulinic acid or a derivative thereof,

in which at least one carbon atom of said 5- aminolevulinic acid is a carbon isotope and/or a nitrogen atom in its amino group is a nitrogen isotope, and where said derivative is an ester, amide, salt, hydrate or solvate of said 5- aminolevulinic acid, to kill said malignant tumor.

13. (previously presented): The method of claim 12, wherein the malignant tumor is detected and treated in a living host.

14. (new): The method of claim 10, wherein the killing of said malignant tumor is by a photokinetic method.

15. (new): The method of claim 12, wherein the killing of said malignant tumor is by a photokinetic method.

16. (new): The method of claim 10, wherein the malignant tumor can be detected with higher sensitivity using NMR as compared to the use of 5-aminolevulinic acid as is.

17. (new): The method of claim 12, wherein the malignant tumor can be detected with higher sensitivity using NMR as compared to the use of 5-aminolevulinic acid as is.

18. (new): The method of claim 10, wherein the carbon isotope is used and it is the ^{13}C or ^{14}C isotope.

19. (new): The method of claim 18, wherein the carbon isotope is used and it is the ^{13}C isotope and the NMR is ^{13}C-NMR.

20. (new): The method of claim 12, wherein the carbon isotope is used and it is the ^{13}C or ^{14}C isotope.

21. (new): The method of claim 20, wherein the carbon isotope is used and it is the ^{13}C isotope and the NMR is ^{13}C-NMR.

22. (new): The method of claim 10, wherein the nitrogen isotope is used and it is the ^{13}N or ^{15}N isotope.

23. (new): The method of claim 22, wherein the nitrogen isotope is the ^{15}N isotope and the NMR is ^{15}N-NMR.

24. (new): The method of claim 12, wherein the nitrogen isotope is used and it is the ^{13}N or ^{15}N isotope.

25. (new): The method of claim 24, wherein the nitrogen isotope is the ^{15}N isotope and the NMR is ^{15}N-NMR.

26. (new): The method of claim 10, wherein detection is by using a plurality of NMR using 5-aminolevulinic acid containing both the carbon isotope and the nitrogen isotope.

27. (new): The method of claim 12, wherein detection is by using a plurality of NMR using 5-aminolevulinic acid containing both the carbon isotope and the nitrogen isotope.

28. (new): The method of claim 10, wherein said derivative is used and said derivative is the ester.

29. (new): The method of claim 12, wherein said derivative is used and said derivative is the ester.

30. (new): The method of claim 10, wherein said derivative is used and said derivative is the amide.

31. (new): The method of claim 12, wherein said derivative is used and said derivative is the amide.

32. (new): The method of claim 10, wherein said derivative is used and said derivative is the salt.

33. (new): The method of claim 12, wherein said derivative is used and said derivative is the salt.

34. (new): The method of claim 10, wherein said derivative is used and said derivative is the hydrate.

35. (new): The method of claim 12, wherein said derivative is used and said derivative is the hydrate.

36. (new): The method of claim 10, wherein said derivative is used and said derivative is the solvate.

37. (new): The method of claim 12, wherein said derivative is used and said derivative is the solvate.

38. (new): The method of claim 10, wherein the detecting and treating are conducted using a total dose of from 10 mg to 10 g per kg body weight.

39. (new): The method of claim 12, wherein the detecting and treating are conducted using a total dose of from 10 mg to 10 g per kg body weight.

40. (new): The method of claim 10, wherein the detecting and treating are performed with the same 5-aminolevulinic acid or a derivative thereof in which at least one carbon atom of said 5-aminolevulinic acid is a carbon isotope and/or a nitrogen atom in its amino group is a nitrogen isotope, and wherein said derivative is an ester, amide, salt, hydrate or solvate of said 5-aminolevulinic acid.

41. (new): The method of claim 12, wherein the detecting and treating are performed with the same 5-aminolevulinic acid or a derivative thereof in which at least one carbon atom of said 5-aminolevulinic acid is a carbon isotope and/or a nitrogen atom in its amino group is a

nitrogen isotope, and wherein said derivative is an ester, amide, salt, hydrate or solvate of said 5-aminolevulinic acid.

42. (new): The method of claim 10, wherein said malignant tumor exists in a deep region of tissue.

43. (new): The method of claim 12, wherein said malignant tumor exists in a deep region of tissue.

44. (new): The method of claim 10, wherein diagnosis and treatment are simultaneously carried out, and the purity of the carbon and nitrogen isotopes is reduced through the addition of isotope-free 5-aminolevulinic acid, thereby reducing costs.

45. (new): The method of claim 12, wherein diagnosis and treatment are simultaneously carried out, and the purity of the carbon and nitrogen isotopes is reduced through the addition of isotope-free 5-aminolevulinic acid, thereby reducing costs.

46. (new): The method of claim 10, wherein the malignant tumor is detected and treated in a living host.